



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/738,896	10/25/96	KEN	C 290252016600

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QM31/0831

EXAMINER
LEWIS, W

ART UNIT	PAPER NUMBER
3731	

DATE MAILED: 08/31/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/736,896

Applicant(s)

Ken et al.

Examiner

William Lewis

Group Art Unit

3731



☒ Responsive to communication(s) filed on Jun 30, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1, 3, and 4 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 3, and 4 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 11

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

**WILLIAM LEWIS
PATENT EXAMINER
GROUP 3300**

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Serial Number: 08/736,896

Art Unit: 3309

Part III DETAILED ACTION

1. The request filed on 6-30-98 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/736,896 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heinke et al. (German Patent 3,203,410) in view of Mariant et al. (US Patent 5,639,277). Heinke et al. disclose an coil (1) having proximal and distal ends that are radially inward relative the center section. However, Heinke et al. do not disclose the detachable ends. Mariant et al. teach of this element (see figure 14) in the same field of endeavor for the purpose of allowing proper placement of the coil. It would have been obvious to one skilled in the art at the time of the invention to have placed the attachment means taught by Mariant et al. onto the Heinke et al. device in order to allow proper and controlled placement of the coil.

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Response to Arguments

4. Applicant's arguments with respect to claims 1, 3 and 4 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to W. Lewis whose telephone number is (703) 308-0060.

WL
August 30, 1998



**WILLIAM LEWIS
PATENT EXAMINER
GROUP 3300**